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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,102	06/14/2000	Paul Andrew Moskowitz	YOR9-2000-0273(1963-4981)	7712

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EXAMINER	
LE, DANH C	

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/594,102	MOSKOWITZ ET AL.	
	Examiner	Art Unit	
	DANH C LE	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-23,29 and 31-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-23,29 and 31-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3-22, 29, 31-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Shojima (US 6,259,990).

As to claim 1, Shojima teaches a method for providing directions (figure 1 and col.3, line 22-col.4, line 35), comprising:

receiving information identifying a current location of a portable communication device having short range wireless communication capability;

identifying a direction of movement to be communicated to the portable communication device to direct it towards, a destination: and

transmitting the direction of movement to the portable communication device.

As to claim 3, Shojima teaches the method of claim 1, wherein the transmitting is in accordance with one of a Bluetooth specification and an Infrared Data Association (IRDA) specification (col.3, line 22-col.4, line 35).

As to claim 4, Shojima teaches the method of claim 1, wherein the transmitting uses a short range high-frequency radio signal (col.5, lines 1-9).

As to claim 5, Shojima teaches the method of claim 1, further comprising: defining multiple regions within which a direction of movement of the portable communication device can be detected (figure 6, 7).

As to claim 6, Shojima teaches the method of claim 1, further comprising: defining a piconet using multiple transceivers (figure 2).

As to claim 7, Shojima teaches the method of claim 1, wherein the portable communication device is one of a cellular -phone, a personal digital assistant, or a portable computer (figure 1).

As to claim 8, Shojima teaches the method of claim 1, further comprising: accessing a map database (figure 2, 15).

As to claim 9, Shojima teaches the method of claim 1, further comprising: accessing a pre-plotted direction database (figure 2 and col.3, line 22-col.4, line 35).

As to claim 10, Shojima teaches the method of claim 1, further comprising: accessing an alternate direction database (figure 2 and col.3, line 22-col.4, line 35).

As to claim 11, Shojima teaches the method of claim 10, wherein accessing the alternate direction database is a result of an obstruction (figure 2 and col.3, line 22-col.4, line 35).

As to claim 12, Shojima teaches the method of claim 1, further comprising: receiving an identification of a location of one of an emergency event and an obstruction (col.3, line 22-col.4, line 35).

As to claim 13, Shojima teaches the method of claim 12, wherein the receiving the identification includes receiving a signal from one of a multiple of sensors (col.3, line 22-col.4, line 35).

As to claim 14, Shojima teaches the method of claim 12, wherein the receiving the identification includes receiving a signal from a network (col.3, line 22-col.4, line 35).

As to claim 15, Shojima teaches the method of claim 1, further comprising: tracking the direction of movement of the portable communication device relative to the destination (col.3, line 22-col.4, line 35).

As to claim 16, Shojima teaches the method of claim 15, further comprising: recording tracking information representing the movement of the portable communication device relative to the destination (col.3, line 22-col.4, line 35).

As to claim 17, Shojima teaches the method of claim 15, further comprising: determining whether a movement of the portable communication device is towards the destination (col.3, line 22-col.4, line 35).

As to claim 18, Shojima teaches the method of claim 17, wherein, when the movement is not towards the destination, the method includes providing new directions.

As to claim 19, Shojima teaches the method of claim 1, further comprising: receiving information requesting an alternate route.

As to claim 20, Shojima teaches the method of claim 19, further comprising: determining an alternate route for the portable communication device based on a current location (col.3, line 22-col.4, line 35).

As to claim 21, Shojima teaches the method of claim 19, further comprising: determining an alternate route based upon an intended destination (col.3, line 22-col.4, line 35).

As to claim 22, Shojima teaches the method of claim 1, further comprising: receiving adaptive route calculation information (col.3, line 22-col.4, line 35).

As to claim 29, Shojima teaches an apparatus for providing directions (figure 2 and col.3, line 22-col.4, line 35),, comprising:

a memory;

a program stored in the memory; and

a processor in communication with the memory, and configured to execute the stored program such that the apparatus:

receives information identifying a current location of a portabl communication device having short range wireless communication capability;

identifies a direction of movement to be communicated to the portable communication device to direct it towards a destination; and

transmits the direction of movement to the portable communication device.

As to claim 30, the claim is an apparatus claim of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

As to claim 31, the claim is an apparatus claim of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 32, the claim is an apparatus claim of claim 6; therefore, the claim is interpreted and rejected as set forth as claim 6.

As to claim 34, the claim is an apparatus claim of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

As to claim 35, Shojima teaches a system of providing directions (col.6, lines 37-col.7, line 50), comprising:

means for receiving information concerning an obstruction in a directional route provided to a communication device having short range wireless communication capability; and

means for determining an alternate direction of movement for the communication device to direct it towards a destination.

As to claim 36, Shojima teaches the system of claim 35, further comprising:

means for detecting an obstruction in a directional route provided to a communication device having short range wireless communication capability.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shojima in view of Hofmann (US 6,418,372).

As to claim 23, Shojima teaches the method of claim 22, further comprising: determining the alternate route using the adaptive route calculation information, Shojima fails to teach accounting for an amount of people flow towards the destination.

Hofmann teaches accounting for an amount of people flow towards the destination (col.7, line 54-col.8, line 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Hofmann into the system of Shojima in order to enhance system performance of the information processing apparatus which avoid being gotten into a panic situation.

3. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shojima in view of Kondou (US 6,073,075).

As to claim 37, Shojima teaches the system of claim 35, Shojima fails to teach emergency evacuation directions are provided. Kondou teaches emergency evacuation directions are provided (col.16, lines 32-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Kondou into the system of Shojima in order to enhance system performance of the information processing apparatus which avoid being gotten into a panic situation.

4. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shojima in view of Rose (US 5,712,830).

As to claim 38, the combination of Shojima teaches the system of providing directions, comprising:

means for receiving information concerning an obstruction in a directional route provided to a communication device having short range wireless communication capability (cite above)

The combination fails to teach means for determining whether a people flow problem. Rose teaches means for determining whether a people flow problem (col.1, line 55-col.2, line 55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Rose into the system of Shojima in order to provide avoid the obstruction in case of emergency problem.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Danh C.Le

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